

04-62-01

A
Box
Seq

Please type a plus sign (+) inside this box ☐

Attorney Docket P1819R1

PATENT

03/30/01
11050 U.S. PTO

CERTIFICATION UNDER 37 CFR 1.10

EL 747 359 974 US: Express Mail Number March 30, 2001: Date of Deposit

I hereby certify that this Non-provisional Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231.

Deirdre L. Conley
Deirdre L. Conley

11050 U.S. PTO
09/823648
03/30/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX PATENT APPLICATION
Assistant Commissioner of Patents
Washington, D.C. 20231

NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

David G. Lowe, Hillsborough, California
James C. Marsters, Jr., Oakland, California
Edward P. Robbie, San Francisco, California
Victoria Smith, Burlingame, California

Title: COMPOSITIONS AND METHODS FOR DETECTING AND QUANTIFYING GENE EXPRESSION

1. Type of Application

- ☐ This application is for an original, non-provisional application.
- ☒ This is a non-provisional application claiming priority to provisional application no. 60/193,767, filed March 31, 2000, the entire disclosure of which is hereby incorporated by reference.
- ☐ This is a ☐ continuation-in-part ☐ continuation ☐ divisional application claiming priority to application Serial Number __, filed __, the entire disclosure of which is hereby incorporated by reference.

2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Non-provisional)

38 pages of specification
11 pages of claims
1 page(s) of abstract
5 sheet(s) of drawings

The PTO did not receive the following listed item(s) Assignment and cover sheet

☐ formal ☒ informal

3. Declaration or Oath

(for new and CIP applications; also for Cont./Div. where inventor(s) are being added)

☒ An executed declaration of the inventor(s) ☐ is enclosed ☒ will follow.

(for Cont./Div. where inventorship is the same or inventor(s) being deleted)

☐ A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).

(for Cont./Div. where inventor(s) being deleted)

☐ A signed statement is attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).

4. Assignment

(for new and CIP applications)

☒ An Assignment of the invention to GENENTECH, INC. ☐ is enclosed with attached Recordation Form Cover Sheet ☒ will follow.

(for cont./div.)

☐ The prior application is assigned of record to Genentech, Inc.

5. Amendments (for continuation and divisional applications)

☐ Cancel in this application original claims ___ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

Relate Back -- 35 U.S.C. 120 or 35 U.S.C. 119

☐ Amend the specification by inserting before the first line the sentence:

--This is a

☐ non-provisional application

☐ continuation

☐ divisional

☐ continuation-in-part

of co-pending application(s)

☐ Serial No. _ filed on_, which application(s) is(are) incorporated herein by reference and to

which application(s) priority is claimed under 35 USC §120. --

_____ International Application _ filed on __ which designated the U.S., which application(s) is(are) incorporated herein by reference and to which application(s) priority is claimed under 35 USC §120.--

_____ provisional application No. _ filed __, the entire disclosure of which is hereby incorporated by reference and to which application(s) priority is claimed under 35 USC §119.--.

6. Fee Calculation (37 CFR 1.16)

The fee has been calculated as follows:

CLAIMS FOR FEE CALCULATION					
Number Filed	Number Extra		Rate	Basic Fee 37 CFR 1.16(a)	
					\$710.00
Total Claims	104	- 20 =	84	X \$18.00	\$1,512.00
Independent Claims	11	- 3 =	8	X \$80.00	\$624.00
Multiple dependent claim(s), if any				+ \$270.00	\$0.00
Filing Fee Calculation					\$2,846.00

7. Method of Payment of Fees

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$2,846.00. **A duplicate copy of this transmittal is enclosed.**

8. Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this sheet is enclosed.**

9. Additional Papers Enclosed

- ☐ Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations
- ☒ Submission of "Sequence Listing", computer readable copy, certificate re: sequence listing, and/or amendment pertaining thereto for biological invention containing nucleotide and/or amino acid sequence.
- ☐ A new Power of Attorney or authorization of agent.
- ☐ Other:

10. Maintenance of Copendency of Prior Application (for continuation and divisional applications)

*[This item **must** be completed and the necessary papers filed in the prior application if the period set in the prior application has run]*

_____ A petition, fee and/or response has been filed to extend the term in
the pending prior application until
_____ A copy of the petition for extension of time in the *prior* application
is attached.

11. Correspondence Address:

X Address all future communications to:

Attn: Deirdre L. Conley

Respectfully submitted,
GENENTECH, INC.

Date: March 30, 2001

By: _____

Deirdre L. Conley
Reg. No. 36,487
Telephone No. (650) 225-2066



09157

PATENT TRADEMARK OFFICE